

**AUBURN CITY COUNCIL
REGULAR SESSION AGENDA**

City Hall, Council Chambers
1225 Lincoln Way, Auburn, CA 95603

January 14, 2013

Closed Session 5:30 p.m.

Regular Session 6:00 p.m.

Meeting facilities are accessible to persons with disabilities. Requests for Assistive Listening Devices or other considerations should be made through the City Clerk's Office at (530) 823-4211, Ext. #112

CALL TO ORDER

ROLL CALL

By **MOTION** adjourn to a Closed Session under Government Code Section 54957.6

1. **Conference with Labor Negotiators:**
(G.C. 54957.6)

Agency Designated Representatives: Robert Richardson, Patrick Clark

Employee Group: Auburn Police Officers Association

REPORT OUT OF CLOSED SESSION

PLEDGE OF ALLEGIANCE

**MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/
ANNOUNCEMENTS**

AGENDA APPROVAL

This is the time set aside for council members and/or the public to ask for removal, postponement or a change to the listed sequence of an agenda item.

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine in nature and will be approved by one blanket motion with a roll call vote.

There will be no separate discussion of these items unless persons request specific items to be removed from the Consent Calendar for discussion and separate action. Any items removed will be considered after the motion to approve the Consent Calendar.

1. **Warrants** **Pages 7-10**

By **RESOLUTION** approve Warrants #81076 through #81498 totaling \$3,817,709.80.
2. **Minutes** **Pages 11-32**

By **MOTION**, approve City Council minutes of 11/19/2012, 12/03/2012 and 12/10/2012.
3. **Appointment of Historic Design Review Commissioner** **Pages 33-36**

By **RESOLUTION**, re-appoint Liz Briggs to the Historic Design Review Commission.
4. **Mayoral Appointments to Board and Commissions** **Pages 37-42**

By **MOTION**, affirm Mayor Hanley's nominations of Councilmembers to serve on various boards and commissions and by **MOTION**, approve the tentative FPPC Form 806 listing compensated Councilmember appointments to boards and commissions.
5. **Mobile Food Vending on Private Property – Second Reading of Ordinance** **Pages 43-62**

Hold a second reading, by title only, of an **ORDINANCE** amending the Auburn Municipal Code by adding Chapter 159.176 *et. seq.* to regulate mobile food vending on private property.

By **MOTION**, direct staff to initiate proceedings to amend the levy of assessments for the Downtown Business Improvement District (BID) to include mobile food vending.
6. **Amendment of City Ordinance Limiting Liability** **Pages 63-66**

Hold a second reading, by title only, of an **ORDINANCE** to add Section 10.23 to the Auburn Municipal Code regarding limitation of tort liability for acts of omissions of city officers and employees.
7. **Quarterly Report of Investments – Quarter Ending September 30, 2012** **Pages 67-78**

Receive, review and file the "*City of Auburn Quarterly Investment Report*" for the quarter ending September 30, 2012.

8. **Auburn Municipal Airport Capital Improvement Plan Update 2012-2018** **Pages 79-82**
By **MOTION**, authorize the Director of Public Works to submit the Auburn Municipal Airport Capital Improvement Plan 2012-2018 to the Federal Aviation Administration.
9. **2012 Street Overlay Project – Dairy Road – Notice of Completion** **Pages 83-86**
By **RESOLUTION**, authorize the recording of a Notice of Completion to Baldwin Contracting Company, Inc. (DBA Knife River Construction) for the 2012 Street Overlay Project – Dairy Road.
10. **Street Sweeper Repower** **Pages 87-88**
By **RESOLUTION**, authorize the Director of Public Works to repower the 2002 Johnson Street Sweeper.
11. **Palm Avenue Sidewalk and Bicycle Lane Project - Update** **Pages 89-92**
Receive, review and file update on the Palm Avenue Sidewalk and Bicycle Lane Project.
12. **Surplus Equipment** **Pages 93-96**
By **RESOLUTION**, declare as surplus to the City's needs the equipment listed on exhibit A and direct staff to contract with an auctioneer to assist the City in disposal of equipment or properly dispose of items.
13. **City of Auburn ADA Transition Plan – Consultant Agreement** **Pages 97-108**
By **RESOLUTION**, authorize the Director of Public Works to execute a consultant agreement with VANIR Construction Management for Phase 1 of the City of Auburn's ADA Transition Plan in an amount not to exceed \$37,032.
14. **Airport Operations Technician Position Recruitment** **Pages 109-114**
By **MOTION**, authorize the recruitment of the Airport Operations Technician position.
15. **Lease Purchase Agreement – Public Works Dump Truck** **Pages 115-122**
By **RESOLUTION**, authorize the City Manager or his designee to execute a Lease Purchase Agreement in the amount of \$144,022.50 between the City of Auburn and Sovereign Bank, N.A. as it relates to the purchase of one (1) new Peterbilt Dump Truck for Public Works use.

***** End of Consent Calendar *****

16. **Public Comment**

This is the time provided so that the public may speak to the Council on any item not on this agenda. Please make your comments as brief as possible. The Council cannot act on items not included on this agenda; however, the items will be automatically referred to staff. Please speak your name, spell your name, and provide your address if you desire. Council Members shall have the option to speak for 30 seconds on any item not on this agenda at this time.

PUBLIC HEARING

17. **Mobile Food Vendors in the City's Public Right of Way** **Pages 123-220**

A. By Motion, introduce and hold a first reading, by title only, of an ordinance as amended by the City Council, amending the Auburn Municipal Code by adding Chapter 72.31 *et. seq.* entitled Regulation of Mobile Food Vendors in the Public Right of Way, which includes the following actions:

1. Adoption of a Categorical Exemption prepared for the Mobile Food Vending Ordinance as the appropriate level of environmental review in accordance with Section 15311 (Accessory Structures) and Section 15304(e) (Minor Alterations to Land) of the CEQA Guidelines;
2. Adoption of Findings of Fact for approval of the Mobile Food Vending Ordinance, as presented in the staff report;
3. Approval of the Mobile Food Ordinance in the Public Right of Way as presented in this staff report; and,
4. Include Section 72.31.080 (B) Entitled "Sales to Students Adjacent to High School Grounds", should the City Council elect to have distance separation requirements for Mobile Food Vendors, in proximity to Placer Union High School as discussed in this staff report.

B. Direct Staff to Initiate Proceedings to Amend the Levy of Assessments for the Old Town and Downtown Business Improvement District (BID) to include Mobile Food Vending, in the Public Right of Way.

REPORTS

18. **Arts Commission Report** **Pages 221-222**

Hear an informational report on the activities of the commission and by **MOTION**, authorize the Arts Commission to hold an open competition to design a logo for the commission.

COUNCIL BUSINESS

- 19. Results of Annual Audit – Fiscal Year 2011-12 Pages 223-228**

Informational report; receive and file Comprehensive Annual Financial Report for the City of Auburn for Fiscal Year 2011-12

20. **Support for American River Canyon Overlook Facility** **Pages 229-234**

By **MOTION**, approve the submission of a letter of support for the American River Canyon Rim Overlook Facility grant application to the Gold Fields District, California Department of Parks and Recreation.

21. **Proposed Ordinance Banning Smoking in the Auburn School Park Preserve**
Pages 235-236

By **MOTION**, direct the City Attorney and staff to develop a proposed ordinance banning smoking in the Auburn School Park Preserve.

CITY COUNCIL REPORTS

- ## 22. City Council Committee Reports

The purpose of these reports is to provide information to the city council and public on projects and programs that are discussed at committee meetings. **No decisions are to be made on these issues.** If a council member would like formal action on any of these discussed items, it will be placed on a future city council agenda.

ADJOURNMENT

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 1225 Lincoln Way, Room 8, Auburn, CA 95603 during normal business hours.